

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE; "A Million Little Pieces"
Litigation

x
: MDL No. 1771
:
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: 1:06-md-1771 (RJH)
:
:

x
: Hon. Richard J. Holwell
:
:

This Document Relates to: All Actions

**NOTICE OF FILING APPLICATION FOR APPOINTMENT OF
HECTOR G. GANCEDO AS PLAINTIFFS' CO-LEAD COUNSEL**

NOW COMES Hector G. Gancedo, Attorney at Law and counsel of record in Hauenstein et al. v Random House et al., Case No. 1:06-cv-04643-RJH, who files the attached Application for Appointment as Plaintiffs' Co-Lead Counsel in the above-captioned matter.

Respectfully submitted,



HECTOR G. GANCEDO (SBN 132139)
GANCEDO & NIEVES LLP

**APPLICATION FOR APPOINTMENT OF
HECTOR G. GANCEDO AS PLAINTIFFS' CO-LEAD COUNSEL**

Pursuant to your request for applications for appointment to interim Lead Counsel on behalf of Plaintiffs in this matter, I hereby submit my application. I am a founding partner of Gancedo & Nieves LLP in Pasadena, California, a firm that specializes in class actions, mass tort actions and complex litigation. I am counsel of record in Hauenstein et al. v Random House et al., Case No. 1:06-cv-04643-RJH. In recent years, my firm has represented thousands of consumers who have been victimized by unfair business practices. Since we have been involved in the Random House litigation, I have dedicated time and resources to the litigation, and I will continue to do so.

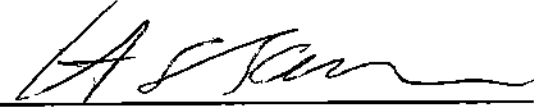
Since founding Gancedo & Nieves, my practice has focused on class action and mass tort litigation. In class action litigation, I specialize in consumer fraud and unfair competition litigation with a sub-specialty in labor wage and hour litigation. I have represented individuals in class actions based upon a variety of claims, including labor, antitrust, environmental, securities, banking, insurance, and consumer issues. I have been appointed lead counsel or class counsel in numerous class cases including Mazzarella v. Bank of America (consumer), Taylor v. PalmOne, Inc. (consumer), Babinski v. Pilot Catastrophe Adjusters (wage and hour) , In Re Woodlawn Cemetery (mishandling cemetery remains), Mackall v. Farmers Insurance Exchange (wage and hour), Smiley v. CSAA (wage and hour), and O'Connor v. Boeing (environmental), and have served as local counsel in many other cases.

In mass tort litigation, I have represented hundreds of individuals in product liability and medical malpractice actions involving injuries resulting from defective medical products and ingestion of pharmaceutical products including Vioxx, Celebrex, Bextra, Rezulin, PPA, Fen-Phen, Baycol, and Sulzer Hips. I have also represented hundreds of individuals for cancer and other serious illnesses resulting from toxic waste. In addition to representation of individual clients in mass tort litigation, I have demonstrated my ability to work cooperatively with others and to provide substantial common benefit work by participating in executive, discovery, expert and/or class committees in numerous class and mass tort litigations on a state and national level.

Until just one month ago, my firm was actively involved in pursuing a settlement along with the other firms involved in the soon-to-be proposed settlement. I have not signed the settlement agreement based on questions and concerns I have regarding its terms, and the process by which confirmation of certain representations is accomplished. I wish to serve in an executive capacity in this litigation to oversee the proposed settlement to ensure the terms benefit the Class, and to participate in confirmatory discovery to the same end. In the event the proposed settlement is not an appropriate class remedy, or it is not approved by this Court, I am fully qualified to serve as co-Lead Counsel and to work cooperatively with others toward a resolution which benefits the Class. I personally have the time and resources to commit to serving in an executive capacity and hereby request appointment.

Dated: September 22, 2006

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'H. Gancedo', written over a horizontal line.

HECTOR G. GANCEDO (SBN 132139)
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PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 144 W. Colorado Boulevard Pasadena, CA 91105.

On September 22, 2006, I served the foregoing document described as
**NOTICE OF FILING APPLICATION FOR APPOINTMENT OF HECTOR G. GANCEDO
AS PLAINTIFF'S CO-LEAD COUNSEL**

Hauenstein, et al., v. James Frey, et al.

on the interested parties in this action by placing a true copy thereof enclosed in a sealed envelope addressed as follows:

SEE ATTACHED SERVICE LIST

VIA FEDERAL EXPRESS Said copies were placed in Federal Express envelopes which were then sealed and, with Federal Express charges to be paid by this firm, on this same date placed for collection and mailing at my place of business following ordinary business practices. Said envelopes will be deposited with the Federal Express Corp. on this date following ordinary business practices; and there is delivery service by Federal Express at the place so addressed.

I deposited CERTIFIED RETURN RECEIPT REQUESTED envelope with postage thereon fully prepaid in the mail at Pasadena, California.

X **BY MAIL** I placed the envelope for collection and mailing following ordinary practices. I am readily familiar with the firm's practice of collection and processing of correspondence for mailing with the United States Postal Service. Under the practice it would be deposited with the United States Postal Service on that same day with postage fully prepaid at Pasadena, California in the ordinary course of business. I am aware that on motion of the party serve, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in this declaration.

Executed on September 22, 2006 at Pasadena, California.

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


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